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Consideration of reports: reports submitted by States parties in accordance with articles 16 and 17 of the Covenant

List of issues in relation to the combined second and third periodic reports of Armenia

Addendum

Replies of Armenia to the list of issues*

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* The present document is being issued without formal editing.

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I. General information

1. Please provide information on cases in which the right of the Covenant has been invoked before – and/or applied by – domestic courts in the State party.

1. Since 2008, the courts of the Republic of Armenia have examined 16 cases during the investigation of which the parties or the court have made a reference to the International Covenant on Economic, Social and Cultural Rights.

2. The above-mentioned cases are:

1. ARD/0316/02/08;
2. GD1/0168/02/13;
3. GD/0112/02/13;
4. GD/0091/02/13;
5. SD3/0128/02/10;
6. EADD/0974/02/13;
7. EADD/0765/02/11;
8. EADD/0476/02/09;
9. EAKD/0106/02/13;
10. EAKD/0652/02/11;
11. EAKD/2189/02/10;
12. EAKD/2736/02/09;
13. EKD/0172/02/13;
14. EKD/1890/02/12;
15. EKD/0781/02/08;
16. EMD/1235/02/10.

2. Please provide information on steps taken to prevent and combat corruption at all levels of public administration, as well as on the number of prosecutions and the sentences passed, if any, against high-level officials guilty of such conduct.

3. In the Republic of Armenia anticorruption actions at all levels of public administration were taken according to the "Anti-corruption strategy and its implementation action plan for 2009-2012" adopted by the Government decree N 1272-N of 8 October 2009 (for more information, see http://www.gov.am/en/anticorruption/).

Information on criminal cases related to corruption issues (according to the Prosecutor General's Office of the Republic of Armenia)

Year	*Number of prepared materials*	*Number of opened criminal cases*	*Number of discontinued criminal cases*
2009	771	370	155
2010	895	385	158
2011	913	395	143
2012	829	309	132
2013	1698	502	225

Information on prosecutions and sentences related to corruption issues (according to the Prosecutor General's Office of the Republic of Armenia)

Year	*Number of prosecutions*	*Number of accused persons*	*Number of sentenced persons*	*Number of sentenced persons in the public administration sector*
2009	183	240	208	102
2010	150	193	182	103
2011	129	189	158	68
2012	125	187	180	68
2013	128	206	176	65

Number of sentenced high-level officials (according to the Prosecutor General's Office of the Republic of Armenia)

2009	14
2010	4
2011	10
2012	7
2013	3

II. Issues relating to the general provisions of the Covenant (arts. 1-5)

Article 2, paragraph 2 – Non-discrimination

3. **Please provide information on steps taken to address discrimination against persons based on ethnicity, as well as on sexual orientation or gender identity, including in the health, employment and educational settings.**

4. The Government of Armenia condemns discrimination in all its forms and manifestations. The national legislation ensures equality of all citizens of the country in all spheres of life without any discrimination, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin. In its daily activities, the Government of Armenia pursues a policy which prohibits any manifestation of discrimination or its trends

against individuals, groups or institutes. Article 14.1 of the Constitution of the Republic of Armenia provides that everyone shall be equal before the law. Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, ideology, political or other views, membership to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited.

5. The Republic of Armenia is a signatory to numerous international treaties, including the fundamental international instruments in the sphere of human rights, including instruments that protect the rights of national minorities and ensure freedom of religion and conscience – among them, the Council of Europe Framework Convention for the Protection of National Minorities and European Charter for Regional or Minority Languages.

6. Armenia has ratified Protocol No. 12 to the European Convention on Human Rights. It has thus already given all persons under its jurisdiction the possibility of taking complaints regarding alleged discrimination to an international judicial forum.

7. Armenia co-operates very closely with the European Commission against Racism and Intolerance (ECRI) and the Committee on the Elimination of Racial Discrimination.

8. The comprehensive National Strategy for Human Rights Protection was approved by President's decree on October 29, 2012. The Strategy is a mechanism through which Armenia's obligations in the field of human rights will be implemented. It is a tool through which tasks are defined and relevant programmes are developed for further implementation by state bodies, non-governmental organizations and other entities. The National Plan of Action, which contains policies related to the human rights and to be implemented in all relevant areas, has been elaborated on the basis of that strategy. Among priority areas of the mentioned Strategic paper is the implementation of the rights of certain vulnerable groups including women, children, persons with disabilities, minorities and refugees.

9. The Human Rights Defender of the Republic of Armenia is dealing with all complaints based on any form of discrimination.

10. According to articles 32 and 37 of the Constitution of the Republic of Armenia, everyone shall have the freedom to choose his or her occupation. Every worker shall have the right to fair remuneration in the amount no less than the minimum set by the law, as well as the right to working conditions in compliance with the safety and hygiene requirements. Everyone shall have the right to social security in cases of old-age, disability, sickness, loss of bread-winner, unemployment and other cases provided for by law.

11. According to article 3 (1) (3) of the Labour Code of the Republic of Armenia, the legal equality of parties of labour relations irrespective of their gender, race, nation, language, origin, citizenship, social status, religion, marital and family status, age, philosophy, political party, trade union or public organization membership, other factors unrelated to the employee's professional qualities. According to article 3 (1) (5) of the Code, "one of the principles of the labour law is the equality of rights and opportunities of the workers". The principles of the labour law are fundamental provisions for legal regulation of employment relations and lie at the core of all legal norms regulating employment relations. According to article 114 (4) (4) of the Code, "gender, race, nationality, language, origin, citizenship, social state, religion, marital and family status, convictions of views, affiliation in political parties and public organizations shall not be considered as legitimate reasons for the termination of the employment contact".

12. According to article 6 (1) of the Law of the Republic of Armenia "On Education", the Republic of Armenia shall ensure the right to education, irrespective of national origin, race, gender, language, religion, political or other views, social origin, property status or other circumstances. Restrictions on the right to professional (vocational) education shall be provided for by law.

13. According to article 4 of the Law of the Republic of Armenia "On Medical Care and Services to the Population", everyone shall have the right to medical care and services in the Republic of Armenia, irrespective of their national origin, race, gender, language, religion, age, health condition, political or other views, social origin, property or other status.

4. Please provide information on steps taken to address the widespread discrimination against persons with disabilities, including in their access to health care, education, social protection, and transportation. Please also provide information on steps taken to raise public awareness of persons with disabilities and to combat the social stigma that these persons face.

14. Armenian legislation provides civil rights protection to persons with disabilities.

15. According to article 3 of the Law of the Republic of Armenia "On Social Protection of Persons with Disabilities in the Republic of Armenia", discrimination against a person on the basis of disability shall be prohibited. The Code defines that persons with disabilities are entitled to the same rights, freedoms and obligations defined by the Constitution and laws of the Republic of Armenia as other persons. The rights and obligations of persons with disabilities may be eliminated or changed in cases and in the manner prescribed by the Constitution and laws of the Republic of Armenia, where the exercising of those rights and implementation of obligations are impossible due to restriction on activity of the person with disabilities. Officials and citizens found guilty of violating the rights, freedoms and legal interests of persons with disabilities shall be held liable in the manner defined by law.

16. According to article7 of the Law, rehabilitation of persons with disabilities shall include medical, professional and social measures that are aimed at eliminating restrictions on activity of person with disabilities or providing full compensation as possible. Rehabilitation measures shall be implemented for the recovery of the health, working capacity and social status of the person with disabilities, contributing to the financial and social independence of the person with disabilities, multifaceted participation in social life and equal rights.

17. In addition to medical assistance, the state shall guarantee persons with disabilities the right to education and vocational instruction, as well as train teaching specialists required for that.

18. The bodies of the state educational system, social protection and healthcare bodies shall, in accordance with the individual programme for rehabilitation of the person with disabilities, ensure the pre-school education of children with disabilities, the creation of necessary conditions for receiving a secondary education, secondary-vocational and higher education (art. 12 of the Law).

19. The state authority and government bodies of the Republic of Armenia, all types of employers in the territory of the Republic of Armenia shall ensure the creation of conditions for persons with disabilities to have access to social infrastructure facilities, residential, public, industrial structures and buildings, benefit from public transportation and transport communication, communication and information resources, resorts and places of leisure freely (art. 21 of the Law).

20. In May 2010, the Republic of Armenia ratified the 2006 Convention on the Rights of Persons with Disabilities, which entered into force on 22 October 2006. With the purpose of approximating the provisions of the Convention, the existing legislation has been reviewed, the draft of the Law of the Republic of Armenia "On Protection of the Rights of Persons with Disabilities and Social Inclusion" has been developed, discussed in the Government of the Republic of Armenia and submitted to the National Assembly of the Republic of Armenia. Guided by the demands of the Convention, the draft law establishes

relevant provisions that are aimed at creating legal grounds for ensuring equal rights and opportunities and an accessible environment for persons with disabilities.

21. In particular, there is a clear definition of the concept of discrimination, meaning any differentiation, exclusion or limitation caused by disability.

22. Article 9 of the draft law defines the exclusion of discrimination against persons with disabilities:

1. Any discrimination based on the circumstances of disability shall be prohibited. The refusal to provide reasonable accommodations shall also be considered a manifestation of discrimination.

2. The state shall guarantee equal and efficient protection of disabled persons from manifestations of discrimination.

Article 3 – Equal rights of men and women

5. Please provide information on steps taken to increase the participation of women in public and political life, particularly in high decision-making positions, through, inter alia, the adoption of affirmative measures. Please also provide information on steps taken to address deeply rooted patriarchal attitudes and stereotypes regarding women and their role and responsibilities in the family and society.

23. Among the steps undertaken to ensure equal participation of women in political and public life, we should underline the changes made in the Electoral Code in 2011 which incorporated gender sensitive quotas. According to the amended law "the number of representatives of each gender must not exceed 80 percent of each group of five candidates starting from the second number of the electoral list of a political party contesting seats under the proportional electoral system (art. 108, para. 2 Electoral Code, 2011). The Electoral Code defines legal sanctions for non-compliance "The Central Electoral Commission shall reject the registration of the electoral list of a political party, an alliance of political parties if the electoral list does not meet the requirements defined by article 108 (2), including the legislated candidate quota" (art. 110, Electoral Code of Armenia, 2011).

24. At the same time the activities carried out with the purpose of ensuring equal rights of men and women has been aimed at making reforms in all spheres of life, including legislation reforms, creating institutional structures and building capacities, establishing cooperation between different organizations, as well as implementing informative events aimed at raising the level of awareness.

25. The following has been done within the scope of legislative reforms:

- A gender expert examination has been conducted for the legislation of the Republic of Armenia (several fundamental laws), the international treaties of the Republic of Armenia ensuring the equal rights and opportunities of men and women have been studied and corresponding amendments have been made to several laws and sub-legislative acts.
- The Law of the Republic of Armenia "On Ensuring the Equal Rights and Opportunities of Women and Men" has been developed and was adopted by the National Assembly of the Republic of Armenia on 20 May 2013.
- With the purpose of raising qualifications of civil servants, shaping their mind-sets in relation to gender, conveying knowledge about gender and raising gender sensitivity, a component (module) for conveying knowledge about gender has been introduced in the training programme devoted to "Human Rights" and "Key Gender Issues" approved by Decision N 567-NA of the Civil Service Council of the

Republic of Armenia of 8 July 2008. Every year, nearly 200 civil servants participate in mandatory training courses funded by the state budget of the Republic of Armenia.

- The concept of gender policy in the Republic of Armenia has been approved by Government of the Republic of Armenia on 11 February 2010 with the aim to create equal conditions for men and women, overcome all types of sexual discrimination, ensure equal rights of men and women in the labour market and employment and equal access to economic resources, establish gender-related dialogue on democracy, politics, culture and tolerance through the inclusion of the gender criterion in all spheres of life.
- The 2011-15 strategic programme of the Gender Policy has been approved by the Government of the Republic of Armenia on 20 May 2011 and defines the primary areas of the state policy on men and women.
- To achieve the goals predetermined by the strategic programme, the Government of the Republic of Armenia shall approve annual programmes for the gender policy. The measures included in those programmes are aimed at including the gender component in the policy that is developed for different spheres, overcoming gender inequality in all spheres of public life, as well as obtaining equal rights and opportunities.

26. The following has been done within the scope of institutional reforms:

- Functions to ensure the development, implementation and coordination of targeted state programmes of the gender policy have been enshrined in the regulatory objectives of the departments for the protection of the rights of families, women and children established within the *marzpetarans* (regional councils) of the Republic of Armenia and the Yerevan Municipality;
- The *marzpetarans* of the Republic of Armenia and the Yerevan Municipality have established standing committees on gender-related issues, the activities of which contribute to the implementation of the state policy on gender at the regional level;
- Instructive courses have been held regularly in order to raise the level of gender sensitivity of the above-mentioned structures;
- Gender-sensitive and differentiated indicators have been developed and approved by the decree of the Minister of Labour and Social Affairs of the Republic of Armenia. They are of important significance for the gender situation assessment in the programmes carried out by the state.
- Awareness has been raised about the key documents in the sphere of protection of women's rights with the participation and support of international organizations and non-governmental organizations.

27. The future activities are aimed at:

- Developing mechanisms for enforcing the Law of the Republic of Armenia "On Provision of Equal Rights and Equal Opportunities for Women and Men";
- Developing mechanisms for the monitoring of and exchange of information about state policy programmes for ensuring gender equality;
- Reinforcing the uniform system that includes national and institutional mechanisms for the development and implementation of the policy on gender equality;
- Introducing the gender component in the processes of budgeting and planning (application of gradual gender budgeting in different phases of the budget cycle);

- Implementing measures for improving services provided to people subject to family violence, as well as for protecting people subject to gender violence and for more efficient organization of services provided to them.

28. The principle of equality between men and women is widely reflected in the legislation of the Republic of Armenia. Civil legislation is based on the issues of equal rights, immunity of property, exercising of civil rights.

29. Article 30 of the Constitution of the Republic of Armenia defines that every national of the Republic of Armenia who has attained the age of eighteen has the right to participate in elections and referenda, as well as the right to participate in the public administration and local self-government directly or through representatives elected through the expression of free will.

30. The Criminal Code of the Republic of Armenia (art. 143) considers direct and indirect infringement of rights and freedoms of people and citizens on the grounds of person's national origin, race, gender, language, belief, political or other views, social origin, property or other status having caused harm to person's lawful interests as a crime, by which the infringement in article 14.1 of the Constitution is criminalized.

31. The Family Code stipulates the equality of spouses in the family (art. 24), mentioning that each of the spouses is free in choosing the work, occupation, profession, and place of residence. Free mutual consent as well as marriageable age of men and women entering into marriage is necessary for concluding marriage.

6. Please provide information on steps taken to address the persisting gender pay gap.

32. Pursuant to part 2 of article 178 of the Labour Code "Equal wage shall be paid to men and women for the same or equivalent work".

33. The Labour Code provides for equality of parties to employment relations irrespective of their gender, race, national origin, language, origin, nationality, social status, religion, marital and family status, age, beliefs or views, affiliation to parties, trade unions or non-governmental organizations, other circumstances not associated with the professional skills of an worker; article 117 of the Code prescribes, as guarantee for women and workers who take care of a child, that an employment contract with a pregnant woman may not be rescinded during the overall pregnancy period.

34. The following provisions are established in the Labour Code of the Republic of Armenia in order to prevent possible inequality between wages paid to women and men:

- Point 3 of part 1 of article 3 of the Code prescribes equality between parties to employment relations – regardless of their gender, race, national origin, language, origin, nationality and other issues – as the core principle of labour legislation;
- Pursuant to part 2 of article 178 of the Code, equal wage shall be paid to men and women for the same or equivalent work;
- Pursuant to part 4 of article 178 of the Code, the wage shall depend on qualification of the worker, working conditions, quality, amount and complexity of work;
- Pursuant to part 3 of article 180 of the Code, where a labour qualification system is applied, the same standards shall apply with regard to both men and women, and this system must be developed in a way so as to exclude any gender discrimination.

35. Provisions on the minimum wage and conditions on maintaining gender equality between women and men are provided for in collective agreements.

36. At the same time the parties committed themselves to ensuring gender equality in the spheres of labour and wages under the Republican Collective Agreement concluded

between the Government of the Republic of Armenia, Confederation of Trade Unions of Armenia, Republican Union of Employers of Armenia on 27 April 2009.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 – The right to work

7. **Please provide information on steps taken since 2009 – and the impacts that have been measured – to address the high unemployment rate, particularly amongst women and people living in rural areas. Please also provide information on the impact of steps taken to reduce youth unemployment, in particular through the Youth Professional Orientation Centre.**

37. The 2013-2018 Employment Strategy of the Republic of Armenia was approved by the Government of the Republic of Armenia on 8 November 2012. Point 8 of the Implementation Action Plan of the strategy envisages development of a draft law of the Republic of Armenia "On Employment" and its submission to the Government of the Republic of Armenia for discussion in 2013.

38. The National Assembly of the Republic of Armenia adopted the new law on employment on 11 December 2013. The law enshrines legal basis for introduction of a new model of employment policy.

39. The subject matter of the Law of the Republic of Armenia "On Employment" contains new economic and organizational provisions and legal basis for boosting efficient employment of population in Armenia, exercise of the right to work - taking into account specifics of development of economic sectors, as well as guarantees provided by the state in the sphere of social protection in case of unemployment.

40. A concept of development of vocational guidance of the Republic of Armenia and its 2012-2015 Implementation Action Plan were approved by the Government of the Republic of Armenia on 4 October 2012. Accordingly, the uniform system of vocational guidance includes institutions of general education, vocational education and regional centres of integrated social services, the respective trade specialists of which will provide vocational guidance services by targets (pupils, students, unemployed, job seekers, persons unable to compete in the labour market, as well as employed persons).

41. The above-mentioned concept has been proposed in order to fulfil the aim and carry out tasks of the vocational guidance system - a model of vocational guidance, which will be based on ensuring possibilities for efficient vocational choice, change of profession and continuous career development for people belonging to various age groups and in different social-labour situations during the whole period of their lives, taking into consideration individual characteristics of a human being, as well as the changing situation in the labour market.

42. Pursuant to decision No. 1549-N of the Government of the Republic of Armenia of 13 December 2013, "Vocational Guidance Centre of Youth" state non-commercial organization has been renamed into "Methodological Centre for Vocational Guidance" state non-commercial organization, which has been tasked with provision of methodology for structures of the vocational guidance system, training of human resources, enhancement of qualification and implementation of awareness works.

8. Please provide information on targeted steps taken to address the high unemployment rate of persons with disabilities, and on measures in place to guarantee effective protection against discrimination in the workplace for persons with disabilities.

43. The Law of the Republic of Armenia "On Employment" establishes a normative standard (quota) for organizations, irrespective of the form of their ownership, for compulsory provision of jobs in order to boost employment of persons with disabilities. An option of phased introduction of the quota is recommended as a result of comprehensive analysis and evaluation of risks and impacts, which may arise in the consequence of application of the quota. In particular, the quota requirement is established for state organizations which have 100 and more workers:

- Amount of at least 3% of the total number of workers (starting from 1 January 2015);
- For non-state organizations – amount of at least 1% of the total number of workers (starting from 1 January 2016).

44. The mechanisms for provision of state support to organizations for the purpose of ensuring adherence to the quota requirements are also provided for by the Law of the Republic of Armenia "On Employment". If an organization fails to adhere to the quota requirement, it makes an allocation for any job subject to quotas – at the three hundred-fold of the minimum wage.

45. Administrative liability is envisaged for violation of the quota requirement with regard to people with disabilities or of its alternative – the requirement for allocation. Therefore, it was recommended to make a respective supplement to the Code of Administrative Offences of the Republic of Armenia. Failure to make such an allocation will result in imposition of a default penalty upon the employer – with the adjustment of 0.15% of the allocation amount payable – for each day payment was overdue, but no more that the amount payable.

9. Please provide information on steps taken by State party to reduce the informal sector of the economy with a view to promoting employment in the formal sector, as well as on measures taken to ensure that workers in the informal sector have access to basic services and social protection.

46. The Law of the Republic of Armenia "On Employment" prescribes and regulates, in the framework of cooperation between the public and private sectors, relations and principles pertaining to exchange of information, spreading information on the best studied experience, provision of necessary methodological support to non-state organizations between state organizations providing employment services and non-state organizations engaged in job placement, the possibility to delegate state employment programmes to non-state organizations engaged in job placement - based on the Law of the Republic of Armenia "On Procurement", as well as activities of non-governmental organizations in the framework of delegated programmes.

47. The new model introduced under Law of the Republic of Armenia "On Employment" can be characterized as a model of "proactive" policy. The annual programme of state regulation of employment envisaged by this policy is quite flexible, as it is developed and implemented based on demand of the labour market, and provision of stable employment to beneficiaries is enshrined as the main goal of state programmes on regulation of employment.

48. The annual programme on state regulation of employment includes both ongoing programmes, the current and prospective efficiency of which was evaluated as positive and which were found to be purposeful to be continued in the future, and new programmes,

which were previously run as pilot ones, and were evaluated to be purposeful from the point of view of permanent introduction or are subject to implementation as pilot projects and evaluation – for the purpose of further permanent introduction.

49. The 2014 state programme on regulation of employment provides for implementation of the following projects:

Ongoing projects

- Organization of Vocational Instruction programme is aimed at ensuring stable employment for specialists by means of training them to comply with requirements of the labour market and raising their competitiveness in the labour market.
- "Partial Compensation of Wages to Employers" project is aimed at ensuring stable employment through partial compensation of wages in the case of job placement of persons, who are non-competitive in the labour market.
- "Organization of Internship for Persons with No Work Experience" project is aimed at ensuring stable employment through assisting youth having a profession but no work experience to acquire work experience complying with his or her professional qualification and be recruited for a suitable job.
- "Organization of Job Fair" project is aimed at ensuring stable employment for a job seeker on one hand – by means of direct communication between employers and job seekers, and ensuring efficient filling of vacancies available with an employer – on the other hand.
- "Organization of Labour Marker Research Works" project is aimed at evaluation and identification of developments taking place in the economy and labour market and forecasting the demand for labour force.
- "Support for Job Placement in Other Locations" project is aimed at filling vacancies which are filled with difficulty in the regions and ensuring stable employment by means of regulation of domestic movement of labour force.
- "Lump Sum Compensation to Employer for Job Placement of Non-competitive Persons in Labour Market" project is aimed at ensuring stable employment through providing an opportunity to non-competitive persons in the labour market to acquire working skills and capabilities at a workplace, as well as through adjustment of workstations for unemployed persons having disabilities.

Pilot projects

- "State Support to Small Enterprises for the Purpose of Self-Employment" project is aimed at ensuring stable employment through support to activities of small enterprises. The maximum value of support provided in the framework of a single project is one million Armenian drams.
- "Support to Rural Economy Through Promotion of Temporary Employment" project is aimed at easing social tension among the population in the most vulnerable and poor rural settlements through provision of temporary employment, creation of conditions for their stable employment, supporting rural economies through tools of rapid response to situational challenges.
- "Support for Using Services of Non-Governmental Organizations Engaged in Job Placement" project is aimed at ensuring stable employment through providing additional job placement opportunities for both the unemployed and the persons with disabilities who seek jobs.

- "Compensation of Costs of Visits to Employers for Placement in Suitable Jobs" project is aimed at boosting activities of job seekers in the labour market, promoting independent job placement and, in this manner, ensuring stable employment.

Article 7 – The right to just and favourable conditions of work

10. Please clarify whether the State party has taken steps to strengthen the inspection regime for occupational and health standards, including by the State Labour Inspectorate.

50. The requirement for ensuring healthy and safe working conditions is enshrined in article 32 of the Constitution of the Republic of Armenia, pursuant to which: "Each worker shall be entitled to working conditions complying with safety and hygiene requirements". Protection of health of workers and ensuring their safety at the workplace is one of important parts of labour legislation of the Republic of Armenia.

51. Pursuant to point 4 of part 1 of article 3 of the Code: "One of principles of the labour legislation is to ensure the right to fair working conditions for each worker (including conditions that comply with safety and hygiene requirements, the right to rest)".

52. Chapter 23 of the Code is entirely devoted to issues of safety of workers and protection of their health. In particular, article 245 of the Code prescribes that the workplace and environment of each worker shall be safe, comfortable and harmless for the health; it shall be equipped in compliance with the requirements of the regulatory legal acts on ensuring safety and protection of health of workers.

53. Pursuant to article 262 of the Code: "Authorized state bodies shall carry out control and supervision over ensuring safety and protection of health of workers within the scope of their powers".

54. Pursuant to decision of the Government of the Republic of Armenia No. 857 of 25 July 2013 the State Hygiene and Anti-Epidemiological Inspectorate of the Ministry of Health of the Republic of Armenia and the State Labour Inspectorate of the Republic of Armenia of the Ministry of Labour and Social Affairs of the Republic of Armenia have been reorganized, by means of being merged, into State Healthcare Inspectorate of the staff of the Ministry of Health of the Republic of Armenia, the aims and tasks of which include organization of measures aimed at prevention of accidents at the workplace, ensuring protection of employment rights and freedoms of workers - including the right to safe working conditions. The Inspectorate carries out control and supervision over compliance with mandatory requirements, established by law, in regard to work safety and protection of work at workstations in the manner prescribed by law of the Republic of Armenia.

55. Pursuant to article 10 of the Law of the Republic of Armenia "On State Labour Inspectorate": "The Inspectorate shall have the following powers: to require employers to take respective measures in order to eliminate such violations and faults in the course of organization of work discovered during examination and/or inspections, which may hazard life and health of the worker".

11. Please indicate how the State party ensures that employers respect the 40-hour work week, the 20 days of mandatory annual leave, and the provision of compensation for overtime and night-time work, as provided by domestic law. Please clarify which regulations are in place regarding the maximum daily working time.

56. According to article 139 of the Labour Code "Working time duration may not exceed 40 hours per week. A daily period of work must not exceed 8 working hours, except for the cases stated by law, other normative legal acts and the collective contact. Maximum

work duration, including overtime in cases envisaged by article 145 of this Labour Code at the request of the employer, must not exceed 48 hours per week. The overtime work may not exceed 12 hours daily including the breaks for rest and lunches with the consent of the parties. The duration of working time of specific categories of employees, of health care, care (custody), child care institutions, specialized electricity gas heating supply organizations, specialized communication services for elimination of the effects of accidents etc., as well as of watchmen in premises, may be up to 24 hours per day. The duration of working time of such employees must not exceed 48 hours per week, and the rest period between working days must not be shorter than 24 hours. The list of such jobs shall be approved by the Government of the Republic of Armenia. The duration (including breaks for rest and lunches) of the daily working time of employee having two or more employment contacts with the same employer or with different employers may not exceed 12 hours per day.

57. Point one of article 159 of the Code prescribes that the duration of the minimum annual leave, in the case of the five-day workweek, is 20 working days, and, in the case of the six-day workweek, – 24 working days.

58. Article 184 of the Code regulates the issue of remuneration for overtime and night work, pursuant to which, a supplement for each hour of overtime and night work, in addition to the hourly rate, shall be paid to the tune of not less than 50 percent of the hourly rate, and for each hour of night work – not less than to the tune of 30% of the hourly rate.

59. Pursuant to part 1 of article 139 of the Labour Code of the Republic of Armenia the working time may not, normally, exceed 40 hours per week.

60. Pursuant to part 1 of article 159 of the Code, the duration of the minimum annual leave in the case of the five-day workweek is 20 working days, and in the case of the six-day workweek, is 24 working days (art. 159 of the Code has been edited based on Law of the Republic of Armenia "On Making Amendments and Supplements to the Labour Code of the Republic of Armenia" No. HO-117-N of 24 June 2010).

61. Pursuant to article 184 of the Law, a supplement for each hour of overtime work, in addition to the hourly rate, shall be paid to the amount of not less than 50 percent of the hourly rate, and for each hour of night work – not less than to the tune of 30% of the hourly rate (art. 184 of the Code has been edited based on Law of the Republic of Armenia "On Making Amendments and Supplements to the Labour Code of the Republic of Armenia" HO-117-N of 24 June 2010).

62. The State Healthcare Inspectorate of the staff of the Ministry of Health of the Republic of Armenia carries out control and supervision over application of norms of labour legislation.

63. The Code of Administrative Offences of the Republic of Armenia envisages administrative liability for violation of requirements of norms of the labour legislation.

64. The work and rest regimes of workers working in health care, guardianship (custodianship), child care educational, energy, gas, heating supply and communications domains, as well as in other domains having special nature of work, have been prescribed by Decision of the Government of the Republic of Armenia No. 201-N of 1 February 2007.

65. The list of works for specific categories of workers, associated with the 24-hour daily working time (48 hours per week), has been established by Decision of the Government of the Republic of Armenia No. 1223-N of 11 August 2005.

66. Pursuant to part 1 of article 170 of the Code: "It is not allowed to replace the minimum annual leave by a monetary compensation. Where due to rescission of the employment contract the annual leave cannot be granted to the worker, who was granted

the right to annual leave, or where the worker does not want the leave to be provided, he or she shall be paid monetary compensation".

67. Pursuant to article 184 of the Code and to other normative legal acts containing norms of labour law: "A supplement for each hour of overtime and night work, in addition to the hourly rate, shall be paid".

68. Pursuant to article 34 of the Code: "State control and supervision over implementation by the employer of the labour legislation, regulatory provisions of other regulatory legal acts containing norms of labour law, including over payment of supplements by employers – where overtime and night works are performed, over duration of the working time prescribed by legislation, provision of the minimum annual leave, shall be exercised by the State Labour Inspectorate till 29 August 2013, and, pursuant to Decision of the Government of the Republic of Armenia No. 857-N of 25 July 2013, and – by State Healthcare Inspectorate of the staff of the Ministry of Health of the Republic of Armenia - after 28 October 2013".

69. A person, who has committed a violation associated with non-adherence to labour legislation and other regulatory legal acts containing norms of labour law, including failure to pay supplements by employers for overtime and night work, accidents during working time established by legislation, failure to provide the minimum annual leave, shall be subject to liability pursuant to articles 41 and 169/8 of the Code of Administrative Offences of Republic of Armenia.

12. Please provide information on steps taken by the State party to protect employees from dismissal without notice, as well as to ensure that calculation of the amount of severance pay is based on the length of service of the employee.

70. Where the employment contract is rescinded after 7 August 2010 at the initiative of the employer, the size of the dismissal benefit to be paid to the worker and the time limits for notification on rescission of the employment contract depend on the length of record of work of the worker with the employer (24 June 2010, HO-117-N). See http://www.arlis.am/DocumentView.aspx?docid=59508.

71. Pursuant to part 2 of article 111 of the Code: "The employer may rescind the employment contract concluded for a definite period due to the expiry of the contract by giving a written notice thereon to the worker at least ten days in advance".

72. Pursuant to part 1 of article 115 of the Code: "In case of rescinding the employment contract on grounds provided for in points 1 and 2 of part 1 of article 113, the employer shall be obliged to give a written notice to the worker not later than two months in advance".

73. If the employment contract is rescinded upon the grounds provided for by point 9 of part 1 of article 109 and points 3, 7 and 11 of part 1 of article 113 of the Code, the employer shall be obliged to provide a written notice to the worker no later than 14 days in advance for workers that have been working for up to a year, no later than 35 days in advance – for workers that have been working for up to five years, no later than 42 days in advance – for workers that have been working for five to ten years, no later than 49 days in advance – for workers that have been working for ten to fifteen years and no later than 60 days in advance for workers – that have been working for more than fifteen years".

74. Part 1 of article 113 of the Code prescribes the grounds for rescission of the employment contract at the initiative of the employer.

75. Pursuant to part 1 of article 129 of the Code: "Where the employment contract is rescinded on the grounds provided for by points 1, 2 and 4 of part 1 of article 113 of this Code, the employer shall pay a dismissal benefit to the worker to the tune of his or her

average monthly wage, whereas in cases provided for in points 3, 7 and 11 of article 113, as well as in point 9 of part 1 of article 109 and article 124, if the employment contract is rescinded, the employer, taking into consideration the continuous work experience of the worker, shall pay the worker a dismissal benefit:

(1) Where the worker has worked for up to one year – to the tune of average daily wage for ten working days;

(2) Where the worker has worked from one to five years – to the tune of average daily wage for 25 working days;

(3) Where the worker has worked from five to ten years – to the tune of the average daily wage for 30 working days;

(4) Where the worker has worked for up to fifteen years – to the tune of the average daily wage for 35 working days;

(5) Where the worker has worked for fifteen years and more – to the tune of the average daily wage for 44 working days".

76. Control and supervision over adherence to the procedure of conclusion and rescission of employment contracts, adoption and compliance with legal acts on recruitment and dismissal, pursuant to sub point (i) of point 10 of part 8 of the statute of the State Healthcare Inspectorate of the staff of the Ministry of Health of the Republic of Armenia, approved by Decision of the Government of the Republic of Armenia No. 857-N of 25 July 2013, shall be exercised by the Health Care Inspectorate of the Ministry of Health of the Republic of Armenia.

77. Pursuant to article 118 of the Labour Code, the job and position of the worker who lost his or her working capacity due to occupational disease or occupational injury shall be retained until his or her recovery or determination of the disability group. The employer may rescind the employment contract where the working capacity of the worker is not recovered and the disability group is determined.

78. Apart from the above mentioned cases, the workers, who temporary lost their working capacity shall retain their job and position, where they have not come to work due to temporary incapacity for work for not more than 120 successive days or for not more than 140 days, unless laws and other regulatory acts provide that in case of certain diseases the job and position shall be retained for a longer period.

79. Apart from the Labour Code, cases prescribed by article 33 of the Law of the Republic of Armenia "On Civil Service", and dismissing civil servants from their positions based on grounds different from these cases shall be impermissible, are also deemed to be guarantees. In particular – personal application, failure to submit his or her income declaration as prescribed by law, failure to make presence at an attestation for three times, results of an attestation, staff cuts, failure to come to work for more than six months in a year due to temporary incapacity for work – excluding the pregnancy and maternity leave, election or appointment to political, discretionary or civilian positions, termination of the citizenship, a judgment of conviction made in respect of him or her and having entered into force, dissolution of a respective body and so on.

80. Pursuant to part 1 of article 115 of the Labour Code of the Republic of Armenia, the employer shall be obliged to making a written notice to the worker at least two months in advance in the case of rescinding the employment contract on grounds provided for by point 1 (in case of dissolution of an organization (termination of activity of an individual entrepreneur)) and point 2 (in the case of reduction in the number of workers or staff cuts reasoned by change in volumes of productions and/or economic and/or technological and/or work organization conditions and/or production needs). Where the employer rescinds an

employment contract on grounds provided for in point 9 of part 1 of article 109 (where essential working conditions change) and point 3 (where an worker does not comply with requirements of the position held or work done), point 7 (due to long-term incapacity for work of the worker (in case the worker has failed to come to work for more than 120 consecutive days or for more than 140 days during the last 12 months where it is not defined by the law and other regulatory acts that the job and the position are retained for a longer term in case of certain diseases)) and point 11 (where the worker has reached the age of pension, unless otherwise provided for by the employment contract.) of part 1 of article 113, the employer shall be obliged to provide a written notice no later than 14 days in advance for workers that have been working for up to a year, no later than 35 days in advance – for workers that have been working for up to five years, no later than 42 days in advance – for workers that have been working for five to ten years, no later than 49 days in advance – for workers that have been working for ten to fifteen years and no later than 60 days in advance – for workers that have been working for more than fifteen years. Collective agreements and employment contracts may define longer time limits of making notice as compared to the time limits envisaged by this part.

81. At the same time, pursuant to part 2 of article 115 of the Code, in case the periods provided for in part 1 of this article are not observed the employer shall be obliged to pay a penalty to the worker for every overdue day of notice, which is calculated based on the size of the average hourly wage of the worker.

82. Pursuant to parts 4-5 of article 115 of the Code, the employer shall provide the worker with time off to look for a new job during the periods stipulated in part 1 of this article. The duration of the time provided shall not be less than ten percent of the working time included in the notice period. The time off to look for a new job shall be provided in accordance with the schedule proposed by the worker. The average wage of the worker shall be maintained during the mentioned periods – based on the size of the average hourly wage. The notice on rescission of the employment contract shall be deemed as repealed where more than five days have elapsed since the expiry of the notice period and the employer has not rescinded the contract. The periods for the worker's leave and temporary incapacity for work shall not be calculated within this period.

83. Pursuant to part 1 of article 129 of the Code, where the employment contract is rescinded on the grounds provided for in points (1) (liquidation of the organization (termination of activity of an individual entrepreneur)), (2) (in the case of reduction in the number of workers or staff cuts reasoned by change in volumes of productions and/or economic and/or technological and/or work organization conditions and/or production needs) and (4) (in case the worker is reinstated in previous employment) of part 1 of article 113 of this Code, the employer shall pay a dismissal benefit to the worker to the tune of his or her average monthly wage, whereas in cases provided for in points 3 (where an worker does not comply with requirements of the position held or work done), 7 (due to long-term incapacity for work of the worker (in case the worker has failed to come to work for more than 120 consecutive days or for more than 140 days during the last 12 months where it is not defined by the law and other regulatory acts that the job and the position are retained for a longer term in case of certain diseases)) and 11 (where the worker has reached the age of pension, unless otherwise provided for by the employment contract) of article 113, as well as point 9 (where essential working conditions change) of part 1 of article 109 and article 124 (regulation of employment relations with regard to military service), the employer, taking into consideration the continuous record of work of the worker with the employer, shall pay the worker the dismissal benefit:

(1) Where the worker has worked for up to one year – to the tune of average daily wage for ten working days;

(2) Where the worker has worked from one to five years – to the tune of average daily wage for 25 working days;

(3) Where the worker has worked from five to ten years – to the tune of the average daily wage for 30 working days;

(4) Where the worker has worked for up to fifteen years – to the tune of the average daily wage for 35 working days;

(5) Where the worker has worked for up to fifteen years and more – to the tune of the average daily wage for 44 working days.

84. Pursuant to part 2 of article 129 of the Code, a collective agreement or employment contract may provide for payment of the dismissal benefit for a longer period.

85. Articles 115 and 129 of the Code were edited based on Law of the Republic of Armenia "On Making Amendments and Supplements to the Labour Code of the Republic of Armenia" No. HO-117-N of 24 June 2010.

Article 8 – The right to form and join trade unions and the right to strike

13. **Please provide information on steps taken to ensure that the right to form and join trade unions is not jeopardized or interfered with by employers. Please also clarify whether the State party will amend the Police Force Act to allow police officers to form or join trade unions.**

86. According to article 28 of the Constitution of the Republic of Armenia, everyone shall have the right to freedom of association with others, including the right to form and to join trade unions. Every citizen shall have the right to form political parties with other citizens and to join such parties. No one shall be compelled to join any political party or association. The activities of associations can be suspended or prohibited only in cases provided for by law and through judicial procedure.

87. According to article 3 of the Labour Code of the Republic of Armenia, the main principles of the labour legislation are ensuring the right to freedom of association with others for the protection of employment rights and interests of employers and workers (including the right to form or join trade unions and employers' associations).

88. According to point 8 of part 1 of article 4 of the Code, the Labour Code shall stipulate the rights and obligations, responsibilities of representatives of workers – trade unions, representatives (entity) selected by the meeting (conference) of workers, as well as the unions of employers, the representatives thereof (art. 4 of the Code has been amended by the Law of the Republic of Armenia HO-66-N of 19 May 2008, edited by the Law of the Republic of Armenia HO-117-N of 24 June 2010).

89. According to article 21 of the Code, employers and workers may, at their will, freely unite in a manner prescribed by law by forming trade unions and employers' associations for the protection and representation of their rights and interests.

90. According to point 7 of part 1 of article 39 of the Law of the Republic of Armenia "On Police Service", a police officer shall not have the right to be a member of a political party, socio-political, and non-governmental organizations (except for organizations based on community of scientific, cultural, sports, hunting, and similar interests and those of veterans), including religious organizations, and trade unions, as well as use his or her official position for the interests of political parties, non-governmental, religious

organizations, advocate certain attitude towards them, carry out other political or religious activities in the course of performing his or her official duties.

91. According to article 9 of International Labour Organization (ILO) Convention No. 87 (1948) concerning Freedom of Association and Protection of the Right to Organize, "the extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations". In compliance with the principle mentioned in article 19, paragraph 8, of the ILO Constitution, in no case shall the ratification of any Convention by any member of the Organization be deemed to affect any law, award, custom or agreement, according to which the members of the armed forces and of the police enjoy any right guaranteed by the Convention.

Article 9 – The right to social security

14. Please clarify whether the social security system covers health care costs incurred through sickness and injury not related to employment.

92. Considering the importance of making use of free healthcare services for the disadvantaged families, by the Decision of the Government of the Republic of Armenia No. 318-N of 4 March 2004 "On Free Medical Care and Service as Guaranteed by the State", the list on the socially vulnerable and separate (special) groups of the population, having the right to receive free medical assistance and services under privileged conditions, guaranteed by the state, has been approved. The benefit receivers who have 30.00 and higher vulnerability ratio, registered in the assessment system on the family vulnerability, in the manner prescribed by the Law of the Republic of Armenia "On State Benefits", have also been included in that list. The ratio of vulnerability of the registered families is calculated based on the family vulnerability indicators, and the more disadvantaged a family is, the higher the ratio is.

93. The programme of the social package for the state sector workers has been introduced since 2012, which includes the services of compulsory health insurance, transfer of the tuition fee of a worker or his/her family member, provision of rest and repayment of mortgage. A complex of health protection and rehabilitation services is ensured for the beneficiaries within the framework of this programme.

15. Please clarify whether the amounts of unemployment benefit and disability benefit are sufficient for an adequate standard of living. Please clarify whether the State party continues to provide social benefits for unemployed persons, and which modifications have recently been undertaken in this respect.

94. The Law of the Republic of Armenia "On Employment" has been drafted, based on the need for carrying out reforms in the employment policy, in particular shifting from the passive policy on employment to the active one.

95. The programme of payment of the unemployment benefit is revived and substituted for effective programmes of employment, conditioned by the following key circumstances:

(1) Payment of the unemployment benefit, in comparison with other existing programmes of employment, had the lowest indicator of stable employment during 2008-2012 (approximately twice lower than the average indicator of other programmes).

(2) The number of the unemployed benefit receivers, had the trend of rapid decrease in the recent three years (in 2011 it decreased by 24.1% compared with 2010; and in 2012 it decreased by 29.4% compared with 2011). As a result, also the volume of the financial means allocated to the field of state regulation of employment is undoubtedly reduced. Under the new model of the proposed policy, in practice it becomes objectively

possible to prevent the reduction of the financial means allocated to the field and ensure the further increase thereof.

(3) The programme of payment of the unemployment benefit was of exceptionally passive nature, the average duration (10 months) of which also indicates of it, whereas the minimum duration for payment of the unemployment benefit is six months, and the maximum is twelve months.

(4) The number of women among persons receiving the unemployment benefit has approximately twice exceeded the number of men; and persons above the age of fifty constitute the main part of beneficiaries, which also indicates of the passive nature of the programme.

(5) As a result of revising the unemployment benefit and instead of it, the following directions of new active programmes were added:

- Compensation of costs of visits to employers for the purpose of suitable job placement, upon the motion of the authorized body;
- Support to the small entrepreneurial activities;
- Support to rural economy through promotion of seasonal employment;
- In case of the job placement, a lump-sum compensation to an employer for acquiring the necessary working skills and capabilities;
- Support for making use of services rendered by a non-state organization that cooperates with an authorized body.

(6) The current and new programmes of employment have been fully revised, based on the necessity of imparting an exceptionally active nature to them.

(7) The programme of payment of the unemployment benefit, as indicated by the analysis of the programmes of state regulation of employment, has had a poorly-graded social nature (among the total number of persons receiving the unemployment benefits, approximately 9% only has been involved in the system of the family benefit).

96. In case persons with disabilities have a record of work defined by law, a disability working pension shall be fixed and paid, otherwise a disability social pension shall be fixed and paid, the amount of which makes 140% (AMD 19600) for the 1st group of the disabled persons, 120% (AMD 16800) for the 2nd group and 100% (AMD 14000) for the 3rd group of the basic pension; and in case of a disability working pension, the years of work record shall be added, too.

16. Please provide information on the level of non-contributory pension paid to a single elderly person, and clarify whether this amount is sufficient for an adequate standard of living.

97. As of 1 January 2014, the basic pension in the Republic of Armenia is AMD 14000, and the average working pension – approximately AMD 36000 (is calculated as the amount of the basic pension and the working part of the pension).

98. As a principle of the state pension policy, article 4 of the Law of the Republic of Armenia "On State Pensions" stipulates provision of a minimum level of the state pension, comparable with the minimum subsistence budget. According to the legislation of the Republic of Armenia, the volume of the pension shall not depend on the fact of a pensioner being alone.

99. But as a result of the policy pursued by the Government of the Republic of Armenia, a number of improvements have been made, including for the part of engaging the above-mentioned social group in the programmes of state support.

100. Considering the increases of the volume of the pension, the influence of the income coefficient in the formula for the assessment of the family vulnerability has been mitigated, and the influence of the surplus income in a family has been neutralized. Thus, a pensioner living alone receives a family benefit in case of a pension amounting up to AMD 27 300; and non-working pensioners who are alone (or who have no caregiver in the manner prescribed by law) – in case of a pension amounting up to AMD 85 700, whilst the food line of poverty makes AMD 21 732, and the total upper line of poverty makes AMD 37 044.

101. In case of receiving family benefit, the social transfer allocated to a pensioner makes up to AMD 43 300.

102. As a result of the policy pursued, the number of persons receiving labour pension which is lower than the extreme poverty line decreased by 32 000. Since 1 January 2014, the number of persons receiving the working pension lower than the extreme poverty line has made approximately 15 000, who, in case of being alone and applying, shall also receive a social benefit of AMD 16 000.

103. Through implementation of the programme, the Government of the Republic of Armenia intends to increase the level of the average working pension during 2013-2017, bringing it to at least 125 percents, compared with the poverty line.

104. For the purpose of ensuring the increase in the living standard for the persons of pension age, the programme of state midterm costs of the Republic of Armenia of 2014-2016, established, as key issues, the increase of the basic rate of the pension and the value of the one-year insurance record for the part of social and working pensions, implementation of the pension reforms in compliance with the best international experience, launching of the mandatory cumulative component starting from 2014, in the field of pension provision.

Article 10 – Protection of the family, mothers and children

17. Please provide information on how the State party criminalizes domestic violence, and clarify whether it intends to address domestic violence as a separate crime under the Penal Code. Please also clarify which steps have been taken to address the high level of domestic violence against women. Please clarify whether there are, and if so how many, State-funded shelters available for victims of domestic violence.

105. On the initiative of the "Women's Rights Centre", the Ministry of Labour and Social Affairs of the Republic of Armenia has drawn up and submitted to the Government the draft law "On Domestic Violence". The law has been submitted to the government many times, however every time it was returned for further coordination and revision. Last time the bill has been returned according to the Prime Minister order N02/14.13/1827-13. According to it, the Ministry of Justice was entrusted with making amendments and supplements to the Penal Code, Criminal Procedure Code, Administrative Procedure Code and Code on Administrative Infringement as it was stipulated by 2012-2016 Strategic Programme of Legal and Judicial Reforms. During the elaboration of these amendments all aspects related to domestic violence should be considered, including prevention, protection and prosecution. At the same time Minister of Labour and Social Issues was entrusted with the organization of consultations with NGOs who participated in the elaboration of the Law on those activities which can be included in programmes on social protection and social assistance. Among first results of this process we can stress the preparation of the new draft

law "On social assistance" which is under discussion at the National Assembly and will be adopted before the end of the year. Point 7 of article 2 of this draft law gives definition of domestic violence as follows: "domestic violence are violent actions of physical or sexual or psychological character (abuse) by one family member against another or deprivation of economic means."

106. With the view of arranging and coordinating the activities against gender violence the following steps have been taken:

- By the Decision of the Prime Minister of the Republic of Armenia No. 213-A of 30 March 2010, an Interagency Commission on Combating Gender Violence was set up, and the individual composition of it was approved.
- By the Decision of the Prime Minister of the Republic of Armenia No. 605-A of 30 July 2010, the rules of procedure of the Interagency Commission on Combating Gender Violence was approved. "The Strategic Programme Against Gender Violence 2011-2015" was drawn up on the initiative of the Ministry and approved upon the Decision of the Government of the Republic of Armenia in 2011, which defines the core directions of the state policy for reduction of gender violence.
- To achieve the goals predetermined by the strategic programme each year, the Government of the Republic of Armenia shall approve annual programmes for the gender policy. The measures included therein are aimed at prevention of gender violence, protection of persons subjected to gender violence and prosecution of persons using gender violence.

107. With the view of improving the services provided to the persons subjected to violence and arranging protection of the persons subjected to gender violence and the services provided thereto in a more efficient manner, the Ministry of Labour and Social Affairs of the Republic of Armenia, with support of the US Agency for International Development, implemented the "Programme on Enhancing the Quality of Services to Women Victims of Domestic Violence in Armenia" during 2012-2013.

108. Currently, there is only one shelter providing services to the victims of domestic violence. It is run by the "Women's Support Centre" NGO without any state financing. But the Ministry of Labour and Social Affairs of the Republic of Armenia cooperates with the specialized non-governmental organizations which manage shelters for the exchange of information, arrangement of training courses, coverage and elaboration of documents. "Women's Support Centre", Tufenkian Charitable Foundation, "Women's Rights Centre" are such partner organizations. Ministry of Labour and Social Affairs and the Office of the Human Rights Defender of the Republic of Armenia have signed Memoranda of Mutual Understanding on cooperation with the Tufenkian Charitable Foundation regarding the referral of the victims of domestic violence to the shelter of the "Women's Support Centre". The "Women's Support Centre" provides full scale support to the victims of domestic violence, including inter alia, legal, psychological, financial, shelter assistance.

18. Please provide information on steps taken to ensure access to comprehensive family planning services, contraceptives and safe abortion services in cases provided for by law, especially in rural areas.

Status of and trends in the induced abortions

109. The statistical data on the induced abortions are received in 2 ways – official and alternative researches.

110. According to the data of recent years, the number of the induced abortions has been ranging between 7000-7500.

111. According to the official statistics as well as the alternative research (ADHS), no essential increase in the number of abortions during 2012 was recorded in dynamics.

Table 1

Descriptive indicators on the induced abortions 2007-2012, NSS of RA

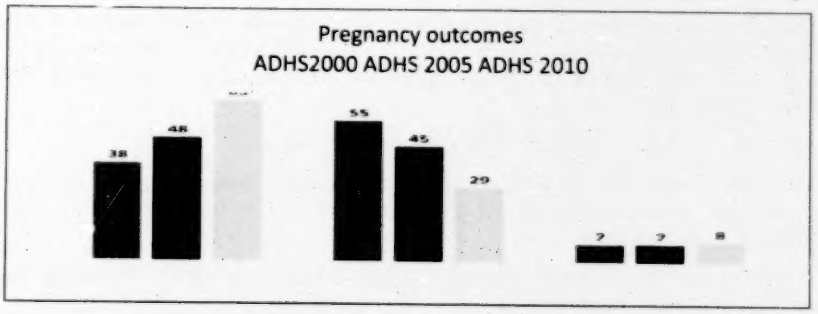
Indicator	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*
Per 100 live births and stillbirths	28.3	29.8	30.5	26.9	27.4	31.7
Per 1 000 women of fertile age	12.4	13.5	15.0	13.5	14.8	13.5
The absolute value of abortions	7934	9032	9412	8577	8333	9453

112. The share of pregnancies resulting in abortions has decreased in the past ten years – from 55% and 45% recorded by ADHS in 2000 and 2005 [respectively] to the indicator of 29% recorded by ADHS in 2010. The share of pregnancies resulting in live birth has, naturally, grown – from 38% recorded by ADHS in 2000 to 48% recorded by ADHS in 2005 and – 63% recorded by ADHS in 2010 (the National Statistical Service (NSS) of the Republic of Armenia and ORC Macro, 2001 and the NSS of the Republic of Armenia and ORC Macro, 2006).

113. Diagram 1 represents pregnancy outcomes, and Table 1 – age-specific indicators of abortions by urban and rural population.

Diagram 1

Pregnancy outcomes over time

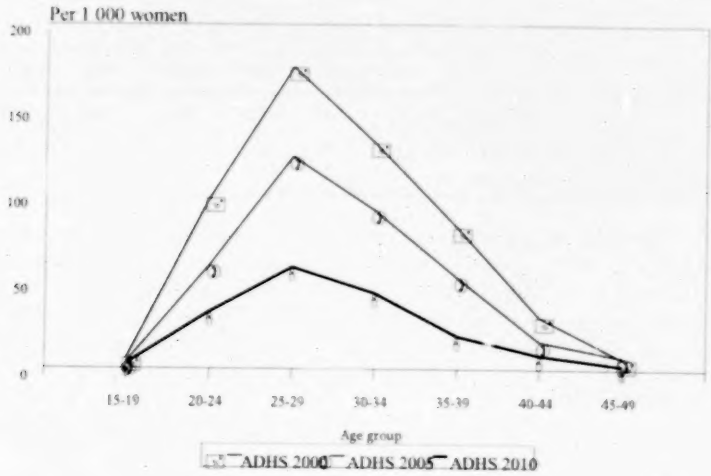


114. The Total Abortion Rate (TAR) was 0.8 according to results of ADHS in 2010, being significantly lower than 1.8 and 2.6 indicators recorded by ADHS in 2005 and ADHS in 2000 [respectively]. This decrease has been obvious in all age groups (Diagram 2).

115. The decrease in recorded abortion incidence in the past ten year is proportionate to decrease in indicators of abortions made in a lifetime. For example, according to data resulting from ADHS conducted in 2000, almost half of women (47%) have had an abortion, whereas this indicator was 37% as a result of ADHS conducted in 2005, and 31% – as a result of ADHS conducted in 2010. Moreover, women aged 40-49 had 2.8 abortions on average according to results of the ADHS conducted in 2000, 1.7 abortions – in 2005, and 1.6 abortions – in 2010.

Diagram 2

Trends in age-specific indicators of abortions



Slow decrease in induced abortions has been observed in the recent years.

116. The General Abortion Rate (GAR) and age-specific rates have been studied. The General Abortion Rate is the average number of abortions, which a woman would have had, if she, in her lifetime, had had an age-specific indicator of abortions recorded as a result of the survey.

117. The General Abortion Rate in Armenia is 0.8 per woman.

118. This means that the average number of abortions among women in Armenia corresponds, to the half of number of children per woman (Cumulative Birth Rate (CBR)=1.7) approximately.

119. The level of age-specific abortion indicators is highest among women aged 25-29, and then these indicators decrease among women of older age.

120. According to results of ADHS 2010, the GAR has been 0.8, which is significantly lower than 1.8 and 2.6 indicators of ADHS 2005 and ADHS 2000 [respectively], that is, almost three-fold decrease in number of abortions has been recorded. The reason for such a difference can perhaps be explained by that in comparison to years 2000 and 2005, the survey conducted in 2010 demonstrated that, in the first place, the indicator of use of contemporary contraceptive methods has grown among married women (making 27% in 2010 - as compared to 22% and 20% indicators in 2000 and 2005 [respectively]), besides use of condoms among married women has doubled in the past ten years (making 15% in 2010 - as compared to the indicators of eight and seven% in 2005 and 2000 [respectively]).

121. The decrease in GAR is probably, for the most part, connected with increased use of contemporary contraceptive methods.

122. The role of the number of women, who have infrequent sexual relations, and constitute a large percentage, in decrease of the indicator has been at least equal - resulting from absence of their partners from the Republic (due to work through migration).

123. Thirty one% of women surveyed in 2010 had an abortion – which is a smaller number as compared to results of the 2005 and 2000 surveys, the number of abortions among women decreased approximately 2.5-fold.

Trends in family planning and use of contraceptive means

124. ADHS 2010 has collected information on knowledge and use of contraceptive methods.

125. According to ADHS 2010 over half of married women – 55% have used some contraceptive method as of the time of the survey. Half of women using a contraceptive method give preference to traditional contraceptive methods (28%), and the other half – to contemporary ones (27%). The most frequently used method is withdrawal (coitus interrupts) (25%), followed by male condoms (15%), and then - by Intrauterine Device (IUD) (10%).

126. Use of contraceptive means grows concurrently with age and reaches its peak – 70% – among married women of 30-34 age group, and then decreases to 37% – among women of 45-49 age group.

127. The indicator of general use of contraceptive means among married women does not essentially differ by urban and rural settlements (58% and 51% respectively). Nevertheless, women in an urban settlement are more inclined to use contemporary contraceptive methods as compared to women in rural settlements (33% and 19% respectively).

128. Essential differences in indicators of use of contraceptive methods are noticed in regions, where women are less inclined to use contemporary contraceptive methods, and like women in Aragatsotn and Armavir marzes (regions), they also, for the most part, rely on the withdrawal method.

129. As anticipated, the level of use of contraceptive methods, especially contemporary ones, grows concurrently with the level of education of women. Women, who have higher education, are twice as much inclined to use contemporary methods as women, who have secondary or lower level of education (39% as compared to 20-21%). Generally, women in Armenia are not inclined to use contraceptive methods before birth of the first child.

130. So, as compared to 61% indicator of use of contraceptive methods resulting from ADHS 2010, this indicator decreased and made 53% in 2005, and it increased a little and made 55% in 2010. Anyway, as compared to 20% and 22% indicators resulting from the two previous surveys, the indicator of use of contemporary contraceptive means among married women has grown in 2010 and made 27%. In particular, as it has already been mentioned, the relative share of those, who use condoms, has grown among married women and it made 15% in 2010 as compared to 7% in 2000 and 8% in 2005. A trend of stable decrease in use of traditional contraceptive methods has been also recorded as a result of ADHS 2010 (it made 28% in 2010 as compared to the 37% indicator in 2007 and 34% indicator in 2005), especially among people, who preferred the withdrawal method (it made 25% in 2010 in comparison to 32% in 2000 and 28% in 2005).

131. High level of knowledge of contraceptive means among surveyed women is an important achievement.

- 100% of women had knowledge of at least one method.
- 27% of married women use contemporary contraceptive means, and 28% – traditional ones.
- The indicator of use of contemporary methods has grown as compared to the 20% result recorded in 2005. This growth, for most part, is connected with the incidence of use of condoms.

- 21% of married women had unmet demand in contraceptive methods.

132. Seventy-seven family planning services in Armenia have been provided with contemporary contraceptive means based on the submitted demand-related information in the framework of cooperation with the United Nations Population Fund in the recent years as well.

19. Please provide information on steps taken to combat ill treatment, including corporal punishment, of children in closed and partially closed institutions, such as children's homes and boarding schools.

133. In December 2012, by the Decision of the Government of the Republic of Armenia No. 1694-N, the "Strategic Programme for the Protection of the Rights of the Child in the Republic of Armenia for 2013-2016" and the "Timetable of measures of the Strategic Programme for the Protection of the Rights of the Child for 2013-2016" were approved. Programmatic measures include drawing up of the concept on combating the violence against the child and of the action plan, where the forms of combating the violence against the child shall be established, the procedures for guiding the protection of children against violence shall be applied, the on-going trainings for the specialists (psychologist, pedagogue, social worker, physician, policeman, etc.) engaged in the issues concerning children shall be held.

134. The child care and protection institutions functioning within the system of the Ministry of Labour and Social Affairs of the Republic of Armenia are under permanent supervision by the state. In those institutions, no cases of cruel treatment against the child have been recorded.

20. Please provide information on steps taken to prevent the increasing placement of children in care institutions, including due to the inability of families to cover educational expenses or the basic needs of their children.

135. Since 2006, the Ministry of Labour and Social Affairs of the Republic of Armenia has implemented the programme of deinstitutionalization of children in the children's homes, thanks to which the children from the institutions return to the biological families, at the same time, admission of children into the institutions is prevented. In this regard, the Ministry closely cooperates with the international organizations, with the view of making the reforms in conformity with the international standards. On the whole, as a result of the reforms made, the number of children's home reduced by 2.

136. The Republic of Armenia has adopted the policy aimed at provision of the integrated social services. By the Decision of the Government of the Republic of Armenia No. 952-N of 26 July 2012, the programme on introduction of the system has been approved, which is based on provision of more affordable and qualitative services, under the principle of "one-stop shop". Provision of the integrated social services also implies handling of the social case.

137. Handling of the social case mainly spans arrangement of all the possible measures for provision of social care, with regard to persons who face the hard life situations or being jeopardized to face such situations. Handling of the social case where social needs exist, is the arrangement by way of planning and of provision of the necessary support equivalent to those needs, through cooperation with the social network. The application of this method shall also enable detecting and preventing the cases of domestic violence, trafficking, minors' employment (except the cases defined by the legislation), failure of children to attend schools, placement of children in the care institutions, failure to register the newborn.

21. Please provide information on steps taken to enforce the existing legislation on the prohibition of child labour and to ensure that children attend school. Please also indicate whether the Labour Inspectorate has so far investigated cases of child labour, and whether such cases, if any, have led to prosecutions.

138. According to article 32 of the Constitution of the Republic of Armenia, it is prohibited to admit to permanent employment children under the age of sixteen. The procedure and conditions for admitting them to temporary employment are prescribed by law.

139. In particular, according to article 17, persons at the age of fourteen to sixteen may be involved only in temporary works not causing damage to the health, safety, education and morality thereof. Persons at the age of fourteen to eighteen may not be involved in work on days off, nonworking days – holidays and memorial days – except for the cases of participation thereof in sporting and cultural events.

140. According to article 257 of the Code, "Involvement of persons under the age of eighteen in heavy, harmful, especially heavy, especially harmful works defined by the legislation of the Republic of Armenia, as well as in other cases defined by law, shall be prohibited".

141. Within a reporting period, no cases of violation of the employment rights of the workers under the age of eighteen and violation of the procedure and conditions for recruitment thereof have been recorded by the State Labour Inspectorate of the Republic of Armenia.

142. According to part 2 of article 15 of the passive labour legal capacity and a citizen's capacity to acquire – by his or her actions – and exercise employment rights, to create employment obligations for himself or herself and to fulfil them (active labour legal capacity) arises in full scale upon attaining the age of sixteen, except for cases provided for in the Labour Code of the Republic of Armenia and other laws.

143. According to part 1 of article 17 of the Code, the worker shall be the capable citizen having attained the age defined by the Labour Code of the Republic of Armenia who performs certain works for the benefit of the employer based on certain profession, qualification or position.

144. According to part 2 of article 17 of the Code, persons at the age of fourteen to sixteen who are working under a labour contract with the consent of one of the parents, or of an adopter or of a guardian shall be considered as working persons.

145. A number of restrictions for working persons at the age of fourteen to sixteen is envisaged by the legislation of the Republic of Armenia. In particular, according to part 2.1 of article 17 of the Code, persons at the age of fourteen to sixteen may be involved only in temporary works not causing damage to the health, safety, education and morality thereof – in compliance with article 101 of the Code (a temporary employment contract for the period of up to two months shall be concluded with persons at the age of fourteen to sixteen), point 1 of part 1 of article 140 of the Code (for the persons at the age of fourteen to sixteen, shorter working time shall be established – 24 hours per week; for the persons at the age of sixteen to eighteen – 36 hours per week), article 155 (the workers under the age of eighteen shall be granted not less than two rest days a week). According to part 3 of article 17 of the Code, persons at the age of fourteen to eighteen may not be involved in work on days off, nonworking days – holidays and memorial days – except for the cases of participation thereof in sporting and cultural events.

146. The following regulations concerning involvement of persons at the age of fourteen to eighteen in work are defined by the Labour Code of the Republic of Armenia:

- An employer shall be obliged to require a written consent of one of the parents, of an adopter or of a guardian where a minor citizen at the age of fourteen to sixteen is admitted to work (point 5 of part 1 of art. 89 of the Code).
- The workers under the age of eighteen shall not be allowed to be involved in overtime and night-time work, as well as in duty work at home or in an organization (point 3, art. 144 of the Code).
- The workers under the age of eighteen, whose working time exceeds four hours, shall have the right to the additional break for at least 30 minutes for rest during the working time (part 2, art. 153).
- The duration of daily uninterrupted rest for workers at the age of fourteen to sixteen may not be less than 14 hours, whereas for workers at the age of sixteen to eighteen – not less than 12 hours, including from 22 p.m. to 6.0 a.m. (part 2, art. 154 of the Code).
- The workers under the age of eighteen shall, after six months of uninterrupted work, be entitled to choose the time of the annual leave (point 1 of part 4 of art. 164 of the Code).
- The workers under the age of eighteen shall be prohibited to be sent on a business trip alone (part 3, art. 209 of the Code).
- The workers under the age of eighteen shall be obliged to undergo a medical examination upon admission to employment, whereas until reaching the age of eighteen – with prescribed periodicity. The periodic medical examination of workers under the age of eighteen shall be conducted at the expense of the employer (part 1, art. 249 of the Code).
- According to article 257, involvement of persons under eighteen in heavy, harmful, especially heavy, especially harmful works defined by the legislation of the Republic of Armenia, as well as in other cases defined by law, shall be prohibited.
- By the Decision of the Government of the Republic of Armenia No. 2308-N of 29 December 2005, the list of occupations was defined that are regarded as hard and harmful for persons under the age of eighteen, pregnant women and women taking care of a child under one year of age.

147. According to the Code of Administrative Offences of the Republic of Armenia, a violation of the requirements of the labour legislation and of other regulatory legal acts containing norms of labour law entails administrative liability.

22. Please provide information on steps taken against trafficking of women and girls for sexual exploitation and of men for forced labour.

148. According to article 3 (1) (2) of the Labour Code, "one of the principles of the labour legislation is the prohibition of any form (nature) of forced labour and of violence against employees".

149. Organized fight against trafficking started in Armenia in 2002. Three national triennial programmes have been implemented while the fourth programme for 2013-2015 is currently in progress. The actions are taken in three directions: prevention, protection/support and punishment.

150. As a separate type of crime, trafficking in human beings was included in the Criminal Code of the Republic of Armenia in 2003.

151. The United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and

Children as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air were ratified in 2003.

152. The Council of Europe Convention on Action against Trafficking in Human Beings was ratified in 2008.

153. In 2008, the Government of the Republic of Armenia approved the National Referral Mechanism for Victims of Exploitation (Trafficking). It defines the system of cooperation through which public administration bodies perform their duties with regard to protection of the rights of victims of exploitation (trafficking). Currently the process of upgrading and reforming the National Referral Mechanism based on the recommendations of the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) is underway. The new draft law of the Republic of Armenia "On identification of and support to persons subjected to trafficking in human beings and exploitation" has passed the required internal procedures and the process of consultations with GRETA.

154. Two shelters – short term and long term – operate in the Republic, where the victims of trafficking, mainly women and children, are referred for receiving support. The short term shelter may receive men as well. Both shelters are located in Yerevan. The operation of one of those shelters is managed by the United Methodist Committee on Relief (UMCOR) NGO. It cooperates closely with the Ministry of Labour and Social Affairs of the Republic of Armenia since 2010, implementing the State Programme on Psycho-social Rehabilitation of the Victims of Trafficking within the framework of which on average 15 beneficiaries are supported annually.

155. The victims of trafficking are included in the list of social groups entitled to free healthcare services and have, as an uncompetitive group in the labour market, additional guarantees for involving in employment programmes.

156. According to the draft Law of the Republic of Armenia "On Social Support" (it is currently with the National Assembly of the Republic of Armenia), the victims of trafficking are "persons in a difficult life situation". Additionally, the draft decision of the Government of the Republic of Armenia "On approving the procedure for granting and providing lump-sum monetary compensation to the victims of human exploitation (trafficking)" envisages to compensate this group of victims for the damages suffered. The draft is currently in interdepartmental circulation.

157. Dissemination programmes are implemented and training courses for different groups of professionals are held, a module on trafficking has been introduced in the training programmes of the civil servants of the Republic of Armenia, as well as textbook for schools has been finalized and the subject is taught in the high school.

23. Please provide information on steps taken by the State party to ensure that all children are registered at birth, including those of families that do not have the financial means to travel to registration centres after a birth.

158. Article 14 of the Law of the Republic of Armenia "On Civil Status Acts" defines state grounds for registration of birth. In particular, for state registration of birth the following documents are required: the document of defined form on birth, issued by the medical institution where the child was delivered; the document of defined form on birth, issued by the medical institution which provided medical assistance at the birth in case of a delivery outside a medical institution – the document of defined form on birth, issued by a person engaged in medical practice as prescribed by the legislation of the Republic of Armenia; a written statement of defined form on birth, issued by a person/persons who was/were present at the birth; and a statement on the child's health, issued by a medical institution in case of a birth outside a medical institution and without provision of medical assistance.

159. If the given person may not appear at the Civil Status Acts Registration body to make a statement in person, his or her signature under the given statement should be notarized. Additionally, in case of absence of grounds for state registration of birth, the state registration of the child's birth is carried out on the basis of the court judgment having legal force upon verifying the fact of the child's birth.

160. With a view to prevent – to the extent possible – the cases of non-registration of births, to identify children and minors without registration, to provide them with relevant documents, as well as to exclude – to the extent possible – non-registered cases of infant mortality, an interdepartmental working group was established in May 2010. A timetable of activities was adopted, according to which the ministry drafted Decision No. 164-N "On approving the statute of the guardianship and custodianship bodies and repealing the Decision of the Government of the Republic of Armenia No. 922-N of 22 June 2006" (approved by the Government of the Republic of Armenia on 24 February 2011). The responsibility for detection of the cases of non-registration of the fact of a birth in the community as prescribed by law, for informing *marzpets* (or the mayor in Yerevan) about cases of infant mortality, as well as the responsibility for initiating the process of their registration was allocated to the guardianship and custodianship bodies. The obligation to assist in acquisition of children's birth certificates in case of absence of such certificates is vested in the departments of protection of family rights, the rights of women and children of the *marzpetarans* (or Yerevan Municipality) of the Republic of Armenia.

161. The number of non-registered births has sharply decreased as result of the measures implemented.

Article 11 – The right to an adequate standard of living

24. Please provide updated information on poverty levels in the State party, disaggregated by year and rural/urban areas, as well as population and age groups.

Poverty indicators for 2008-2012, disaggregated by country, rural and urban areas
(Percentage)

	Poverty level		
	Total	*Urban areas*	*Rural areas*
2008	**27.6**	27.6	27.5
2009	**34.1**	33.7	34.9
2010	**35.8**	35.7	36.0
2011	**35.0**	35.2	34.5
2012	**32.4**	32.5	32.1

Source: HLSS, *2008-2012.

Poverty indicators for 2008-2012, disaggregated by age groups
(Percentage)

Age Groups	*2008*	*2009*	*2010*	*2011*	*2012*
Children of 0-5 years	32.0	39.6	42.7	45.3	38.8
6-9 years	30.3	40.5	44.1	42.2	38.1
10-14	29.7	36.2	37.6	39.1	30.3
15-17	32.4	37.5	41.4	40.1	36.3

Age Groups	*2008*	*2009*	*2010*	*2011*	*2012*
18-19	26.1	32.5	35.3	33.7	34.5
20-24	26.0	33.1	34.9	33.6	33.4
25-29	27.0	34.0	36.5	37.1	32.7
30-34	25.7	35.6	38.0	38.8	34.1
35-39	27.6	34.4	34.6	36.2	31.1
40-44	29.3	31.2	36.7	34.8	31.4
45-49	25.7	32.4	31.1	30.3	29.4
50-54	22.2	31.6	31.9	29.5	27.4
55-59	21.7	30.8	33.3	32.5	27.5
60-64	24.8	27.6	28.2	27.5	27.3
65+	29.5	33.9	33.4	30.8	33.3
Total	27.6	34.1	35.8	35.0	32.4

Source: HLSS, *2008-2012.

HLSS – Integrated Household Living Standard Survey.

25. Please provide information on steps taken to combat child malnutrition.

162. The draft law of the Republic of Armenia "On encouragement of breastfeeding of children and turnover of infant food", developed within the framework of the cooperation between the National Assembly of the Republic of Armenia and the Ministry of Health of the Republic of Armenia, was adopted by the National Assembly of the Republic of Armenia in the second reading.

163. Within the framework of the programme on prevention of the underdevelopment of babies:

(1) Manuals on Infant and Baby Nutrition Practice, intended for the healthcare practitioners of obstetrical and primary healthcare institutions, and public awareness materials intended for pregnant women and nursing mothers were approved by the order of the Minister of Health of the Republic of Armenia.

(2) A pilot project on Introducing Baby Nutrition Practice was implemented in Syunik marz, within the framework of which 140 primary healthcare practitioners were trained, resource centres at four polyclinics were opened for mothers and caregivers, mothers/caregivers were provided with manuals on organizing child nutrition, and skills for preparing baby food were instructed. Awareness materials on diets for pregnant women and nursing mothers, as well as on baby feeding were printed by UNICEF in more than 1000 copies (posters, booklets, calendars, etc.).

(3) Health descriptions for children born after 2011 were printed and distributed among the mothers. They contain accessible information on childcare, development and prevention of diseases, as well as additional information on breastfeeding and additional food.

(4) Currently, the draft decision of the Government of the Republic of Armenia "On approving the Concept Paper on enhancing child nutrition and the Action Plan for the implementation of the concept paper" is being developed by the interdepartmental working group.

164. The programme on family or social benefit established by the Law of the Republic of Armenia "On state benefit" is aimed at supporting vulnerable families, mostly families

with children, which are registered in the family vulnerability assessment system and have ratios higher than the threshold set by the Government of the Republic of Armenia for the given year. The amount of the family benefit is defined by adding to the basic part of the family benefit the additional amount issued for each member of the family under the age of 18. Moreover, the amount of the addition varies according to the degree of vulnerability of the family, the place of residence, the number of members under the age of 18, as prescribed by the Government of the Republic of Armenia (in 2014, the amounts of benefits were defined by Decision No. 65-N of 30 January 2014). The amount of the addition issued in 2014 for each member under 18 of the family, that receives benefit, varies between AMD 5500 and AMD 8000.

165. Additionally, one of the characteristics, taken into account while calculating the vulnerability ratio of a family as prescribed by the same law and the legal acts for the application thereof, is the social group to which the family member belongs, including the social group of a child under the age of five, the numeric ratio of which is higher than that of the relevant social group of a 5-18 year-old child.

166. Thus, the vulnerability ratio of the family with a child under the age of 5 is higher than that of the family with a child of the age of 5-18.

26. Please provide information on steps taken to provide social housing to disadvantaged and marginalized groups and individuals. Please also clarify whether, following the 1988 earthquake, affected families are still living in temporary shelters (*domics*), and provide information on steps that the State party has taken to provide permanent, adequate housing for those individuals.

167. On 1 August 2013, the Government of the Republic of Armenia adopted Decision No. 864-N, which regulates the relations pertaining to provision of housing and other social services to persons/families from disadvantaged and special groups. In particular, the list of persons from disadvantaged and special groups entitled to a living space, the procedures for registering persons/families from disadvantaged and special groups, for providing them with housing and other social services, as well as the procedure for queuing people with living space needs were defined by this decision.

Article 12 – The right to physical and mental health

27. Please provide updated information on steps taken to improve the access to health care services in rural areas, as well as on the availability of qualified health care professionals in such regions. Please provide information on measures taken to address the levying of informal fees for medical care in hospitals.

168. The following steps were taken, aimed at improving the provision of healthcare services to populations in rural areas and implementing human resources policy:

169. Strategy Plan on Human Resources Development within the Healthcare system was elaborated and approved by the Decision of the Government of the Republic of Armenia. It includes specific actions, aimed at raising the availability of physicians in marzes.

170. The Targeted Clinical Residency programme was introduced and is successfully operating. It implies mandatory employment in marzes for a certain period.

171. Currently, the draft Decision of the Government of the Republic of Armenia "On provision of social support and incentives to physicians working in frontier, remote, and high mountainous areas" is underway. The adoption of this Decision will make the work of a physician in marzes significantly more appealing. Large-scale investments are made for

the professional training and requalification of physicians working in marzes, which will as well enhance the level of professional competence of physicians.

28. Please provide information on steps taken to improve the health care offered in prisons, and to address the prevalence of HIV and hepatitis C in prisons.

172. Within the framework of the Ministry of Health of the Republic of Armenia programme "Support to the National programme on response to HIV epidemic in Armenia", funded by The Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM), under the coordination of the Medical Service department of the Penitentiary department of the Ministry of Justice of the Republic of Armenia, activities are carried out aimed at HIV/AIDS prevention among the detained persons and prisoners of nine penitentiary institutions. The activities include distribution of informational materials on HIV/AIDS prevention, organization of educational activities, provision of syringes and condoms, organization of voluntary counselling and testing (VCT) against HIV. Methadone (substitute) treatment programmes are implemented in seven penitentiary institutions.

173. According to article 83 of the Penitentiary Code of the Republic of Armenia, "Medical and sanitary care and medical and prophylactic aid for the convict shall be organized in accordance with the healthcare legislation of the Republic of Armenia. The procedure for organizing medical and sanitary care and medical and prophylactic aid for the convict, for having access to medical institutions of healthcare bodies and involving their medical staff for that purpose shall be established by the Government of the Republic of Armenia. A medical correctional institution shall be organized for the purpose of ensuring the effective performance of medical and sanitary care and medical and prophylactic aid for the convict. The administration of the correctional institution shall ensure the performance of sanitary-hygienic and anti-epidemiological measures aimed at the health protection of the convict. The administration of the correctional institution shall be liable for non-performance or improper performance of sanitary-hygienic and anti-epidemiological measures aimed at the health protection of the convict".

174. The Government of the Republic of Armenia approved, by Protocol Decision No. 17 of 2 May 2013, the Concept Paper on provision of alternative services of care and social support for persons with mental health problems, and the 2012-2017 Action Plan for the implementation of the Concept Paper on provision of alternative services of care and social support for persons with mental health problems was approved by Protocol Decision No. 36 of 13 September 2013.

175. The implementation of actions is aimed at socialization and social inclusion of persons with mental health problems, and provision of need-based care and social support services to these persons, in accordance with modern approaches and models.

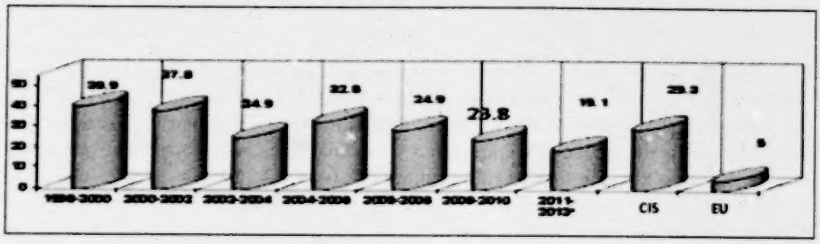
29. Please provide information on steps taken – and the impacts that have been measured – to reduce the infant mortality rate. In addition, please provide information on the maternal mortality rate, disaggregated by year and region, and on measures taken by the State party that aim to reduce this rate.

176. Maternal mortality rate (number of deaths per 100 000 live births) is considered an integral indicator, reflecting maternal health status. According to World Health Organization (WHO) instructions, if the number of the country population does not exceed 5 million, the dynamics of maternal mortality rate is more reliable and realistic when comparing the average triennial rates. According to the data of the Ministry of Health of the Republic of Armenia, the average triennial rate of maternal mortality in Armenia (per 100 000 births) has reduced twice in 2000-2010 (39.9 in 1999-2000, 23.8 in 2008-2010, and 19.1 in 2011-2013).

177. Owing to enhanced accessibility and improved quality of medical care, it was possible to reduce maternal mortality rate and ensure the expected result, i.e. to reduce the triennial rate of maternal mortality. Thus, according to the data of the National Statistical Service (NSS) of the Republic of Armenia, maternal mortality rate in 2008-2010 was 24.9 per 100 000 live births, while it was 19.1 per 100 000 live births in 2011-2013, i.e. the average triennial rate of maternal mortality was reduced by around 25%.

178. According to preliminary estimation of NSS, eight cases of maternal mortality were registered in Armenia in 2013, with the rate being 18.6 per 100 000 live births. However, the average triennial rate of maternal mortality in Armenia significantly exceeds the average level of the same rate in European Union countries but is twice as lower when compared to the rate in other Commonwealth of Independent States countries.

Maternal mortality rate per 100 000 live births, according to WHO



30. **Please provide information on steps taken to provide refugees and asylum-seekers with free health care, and to raise awareness among them of their right to free health care.**

179. Refuges who received asylum in the Republic of Armenia have the right to receive free emergency medical aid and free outpatient medical care provided for the citizens by the legislation of the Republic of Armenia.

180. According to the Government decree N 1515-N adopted on 26 December 2013, asylum seekers and members of their families were included in the list of socially vulnerable groups who have the right to receive medical care and services in preferential terms.

181. Refugees and asylum seekers in Armenia receive information on their health care rights through dissemination of information sheets that are printed by the State Migration Service of the Republic of Armenia and the UNHCR Office in Armenia.

182. From January 2012 to February 2014, 1100 Syrian-Armenian refugees have received free outpatient medical care, 850 received stationary medical care, and 15 heart surgeries were performed.

Articles 13 and 14 – The right to education

31. **Please provide information on steps taken to improve the conditions in schools, in particular with regard to heating, water and sanitation. Please indicate which steps have been taken to improve the quality of education in the State party and to address the high drop-out rate of pupils following primary education, particularly that of girls in rural areas. Please also provide information on steps taken to ensure that children with disabilities, including those living in rural areas or in institutions, receive formal education.**

Improvement of conditions in schools

183. In general from the state budget funds allocation for education 5-10 percent is directed to the renovation and construction works of general education institutions. Works are mainly carried out to improve the roofs, sanitary facilities, water supply systems, and heating systems of school buildings.

184. Currently, all the general education schools in Armenia are equipped with functioning heating systems; moreover, 62% of schools have central heating systems, the others are mainly heated by electric heaters.

185. The number of schools without sanitation system has reduced by approximately 8% within the last three years; currently, there are 174 schools remaining in the country that do not have sanitation. The number of schools without regular water supply has reduced by 3%.

186. A mechanism for internal and external assessment of schools was developed on the basis of the UNICEF methodology Child Friendly School. This will provide an opportunity to identify most-in-need schools and make the allocation of funds more targeted. Meanwhile, a methodology on the assessment of seismic safety of schools has been developed jointly with the UNICEF, which will be used to assess high schools in the Republic this year, and the most vulnerable schools will be repaired with the funds of the World Bank loan programme.

Out-of-School pupils

187. Armenia does not have a significant problem of out-of-school pupils (see http://www.uis.unesco.org/DataCentre/Pages/country-profile.aspx?regioncode=40505 &code=ARM); moreover, the enrolment rate for girls is higher than that for boys. In particular, primary to secondary transition rate in the academic year of 2012-2013 was around 99.9% or 363 children did not continue the school education, among whom – 154 were girls.

188. Some decline in the statistical indicators accounts for the temporary immigration of the population which is not considered while estimating the enrolment rate. The enrolment rate in schools is, as a rule, calculated against the number of permanent population.

189. The Government of the Republic of Armenia undertakes measures to ensure full enrolment in schools. In particular, with a view to prevent the risks of non-enrolment of children from disadvantaged families in schools, to identify children who do not attend school, and to include them into the educational system, mechanisms of cooperation between social security services in the social field, and educational and healthcare services are developed within the framework of the programme on Introduction of Integrated Social Services. Meanwhile, the Education Management Information System has been improved and will be introduced in 2014. It includes personalized data on all the learners. The System provides an opportunity to track the enrolment of all the learners in educational institutions.

Education of children with special needs

190. The Republic of Armenia is implementing a coherent policy on extending inclusive education. As a result, the number of special schools has reduced by half, and over 2000 children with special needs currently attend inclusive schools. The process of closing two more special schools and transferring the learners to general education schools is currently in progress with the support of the UNICEF. Closure of another five special schools in Armenia is planned within upcoming years, with the support of the UNICEF and the USAID.

191. The draft law of the Republic of Armenia "On making amendments to the Law of the Republic of Armenia "On general education" was developed based on a pilot project on global inclusive education system in one of the marzes of the country. The draft was adopted by the National Assembly of the Republic of Armenia in the first reading in 2013. The law provides for transition to global inclusive education, with transformation of the existing special schools into pedagogical and psychological resource centres for inclusive schools. Currently, a pilot project on Transforming the Special School for Children into a Pedagogical and Psychological Resource Centre is implemented within the framework of the OSI-London funded programme on Establishment of Territorial Pedagogical and Psychological Support Mechanism as Part of Inclusive Education System. This pilot project will serve grounds for the transformation of the other special schools.

192. Meanwhile, based on the International Classification of Functioning, Disability and Health, new criteria and a new toolkit was developed for the assessment of the educational needs of children, according to which transition is made from the medical model of special needs assessment to the social model, contributing to the activity and participation of children.

32. Please provide information on steps taken to ensure that programmes are in place for the teaching of Armenian to migrant workers and their family members.

193. 300 Syrian-Armenian refugee children in Armenia attend art and musical schools as well as other cultural groups and circles.

194. 80 Syrian-Armenians refugees between ages 8 and 65 have attended Eastern Armenian language teaching course in 2012.

195. Since November 2013, the Ministry of Diaspora of the Republic of Armenia, in cooperation with the UNHCR office in Armenia, has organized courses of Eastern Armenian and Russian languages for Syrian-Armenians refugees without any age restrictions.

Article 15 – Cultural rights

33. Please provide information on steps taken to encourage participation in cultural life by children, including children from families living in poverty, and migrant and refugee children, as well as by older persons. Please also provide information on steps taken to eliminate physical, social and communication barriers preventing persons with disabilities from fully participating in cultural life.

196. Targeted Programme on Promoting Talented Young Performers was launched in 2013. It is aimed at promotion of talented young performers (classical instruments: piano, violin, cello) with a view of further presentation of Armenian performing art on an international level, as well as formation of grounds for the natural succession in the field of classical performing art. Musical instruments were provided to five young performers within the framework of Acquisition of Musical Instruments programme.

197. Works of over 25 Armenian composers, as well as scientific academic literature was within the framework of state programmes. Part of these publications was distributed free of charge among the cultural education institutions.

198. The "Pupils Philharmonic" festival continued its activity, organizing 56 concert classes in which 13910 children have participated.

199. With the support of the Ministry and based on professional selection, 32 young talents participated in renowned international youth competitions and festivals, master classes in 2013.

200. The second International Week of Artistic Education was organized in Armenia from 23 May to 1 June 2013, within the framework of which various targeted programmes were implemented – 48 events in total with over 2288 participants.

201. A number of international and national youth contests, festivals, and test concerts were organized with the participation of different art professionals. The participants included 3655 young talents, 24 theatrical companies, and 81 choirs.

202. The First Integrative Republican Festival of Youth Art was held in the city of Gyumri of Shirak marz in 2013. The festival was intended to identify the artistic potential of children with disabilities, as well as of socially vulnerable children and those deprived of parental care and full integration of these children into the modern world. 427 participants from 22 institutions took part in the festival. A research conference was held within the framework of the festival; over 70 field specialists attended the conference.

203. In 2013, the first Navasard Games were held in Armenia, with 310 participants in 12 nominations.

204. A project entitled Recognize and Preserve Cultural Monuments of Lori, which was aimed at introducing our cultural heritage to young people in Lori marz. A visit to Hovhannes Tumanyan house-museum was organized with participation of 90 children from Nor Artik community of Aragatsotn marz of the Republic of Armenia.

205. Meanwhile, it should also be mentioned that according to article 7 of the Law of the Republic of Armenia "On preservation and use of immovable monuments of history and culture and historical environment", discrimination based on ideology, religion, race and ethnicity is prohibited in the field of preservation and use of monuments.

34. Please indicate the measures taken by the State party to ensure access to the Internet, in particular for disadvantaged and marginalized individuals and groups.

206. Geographical expansion of telecommunication services and provision – through application of modern technologies – of the diversity of the services offered, as well as assurance of their high quality in accordance with international standards is among the 2014 priority issues of the Republic of Armenia in the field of telecommunication, in particular – provision of access to the internet for at least 50% of population.

207. The Internet access centre for the blind and visually impaired people was opened by the Armenian National Commission for UNESCO in Yerevan in 2012. The opening of the centre became possible only with the help and support, provision of specialized equipment ad space by several partners Ministry of Transport and Communications of Armenia, UNESCO Cluster Centre in Moscow and International Telecommunications Union.